Military Police Complaints Commission of Canada

Commission d'examen des plaintes concernant la police militaire du Canada

2014 ANNUAL REPORT

Ensuring Accountability

Canada

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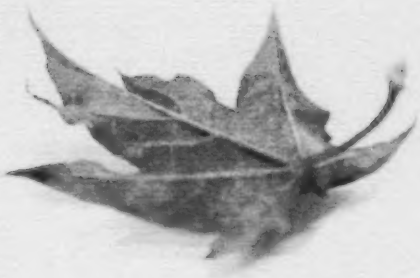

LETTER OF TRANSMISSION TO THE MINISTER

March 27, 2015

The Honourable Jason Kenney, PC, MP
Minister of National Defence
National Defence Headquarters
Major-General George R. Pearkes Building
Ottawa, Ontario K1A 0K2

Dear Minister:

In accordance with subsection 250.17(1) of the *National Defence Act*, it is my duty and privilege to submit for tabling in Parliament, the Military Police Complaints Commission of Canada's *Annual Report 2014*.

In this annual report, you will find a detailed discussion of all significant aspects of the Military Police Complaints Commission of Canada's activities during 2014, including summaries of some of its reviews and investigations of complaints.

All of which is respectfully submitted.

Yours truly,

Glenn M. Stannard, O.O.M.
Chairperson

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Photo: MPCC

CHAIRPERSON'S MESSAGE

I am pleased to present the Military Police Complaints Commission of Canada's *Annual Report 2014*. This year's theme is 'Ensuring Accountability'.

During the past year, the Military Police Complaints Commission of Canada (MPCC) has continued to fulfill its oversight mandate to review and investigate conduct complaints and to investigate allegations of interference in Military Police (MP) investigations. The MPCC's ever-increasing caseload includes an ongoing, complex, multi-jurisdictional conduct complaint, in addition to preparing for the completion of the Final Report resulting from the Fynes Public Interest Hearing.

In addition to monitoring and completing conduct investigations, the MPCC has the sole responsibility of investigating interference complaints. The MPCC was pleased to issue the *Special Report on Interference* on August 12, 2014, which provides an overview of the MPCC's decisions on interference complaints based on its 14 years of experience in the field.

After 62 days of hearings and the testimony of 90 witnesses, the MPCC heard final closing submissions at the Fynes Public Interest Hearing on January 9, 2013. The MPCC reviewed 12,500 pages of transcripts and analyzed the evidence – 1,699 documents totalling more than 22,000 pages of material – before drafting and submitting the Interim Report to the senior leadership of the Military Police, the Canadian Armed Forces and the Department of National Defence on May 1, 2014. On December 16, 2014, the MPCC received the Notice of Action, the Canadian Forces Provost Marshal's response to that report. The MPCC is now preparing the Final Report which will be provided to the complainants and subjects of the complaint and made public in early 2015.

As an independent oversight body, the MPCC must have access to the information we need to evaluate and investigate complaints. Recent changes in the flow of information from the Office of the Canadian Forces Provost Marshal (CFPM) have the potential to compromise the MPCC's ability to credibly discharge its oversight mandate. One issue is a lack of access to a full set of MP Orders, in contrast with the former practice in respect of the predecessor MP Policies and Technical Procedures. I have sought the Minister's assistance and am confident he will be able to help resolve this matter. Another concern is a noted increase in the redaction of MP documents disclosed to the MPCC in the course of its handling of complaints. At this stage, the MPCC is continuing to have discussions with the CFPM's Office to attempt to resolve these concerns.

"The MPCC is dedicated to assisting the Military Police in being the best police service it can be." — Glenn Stannard, Chairperson MPCC / Special Report on Interference

Throughout this past year, MPCC staff has consistently demonstrated a spirit of integrity, mutual respect, cooperation and collaboration. I would like to pay tribute once again to their continued professionalism, and ability to maintain a positive working environment while managing an unprecedented workload.

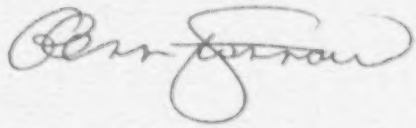
The knowledge and expert contributions of the Commission Members have assisted the MPCC in fulfilling its oversight mandate, as has their valuable participation in our outreach program at six Canadian Armed Forces locations. This participation included visits with Military Police members, Military Family Resource Centres, Canadian Armed Forces chain of command across Canada, as well as the Canadian Forces Military Police Training Academy in Borden, Ontario.

2014 has seen some change to the Governor in Council appointed Commission Members. It is with regret that the MPCC lost a valued Commission Member to retirement. Mr. Roy Berlinquette had faithfully served the MPCC since May 2007. This followed a 36-year career of distinguished service with the Royal Canadian Mounted Police, where he retired as a Deputy Commissioner. My sincere thanks to Mr. Berlinquette for the dedication he has shown in serving the public and the law enforcement communities.

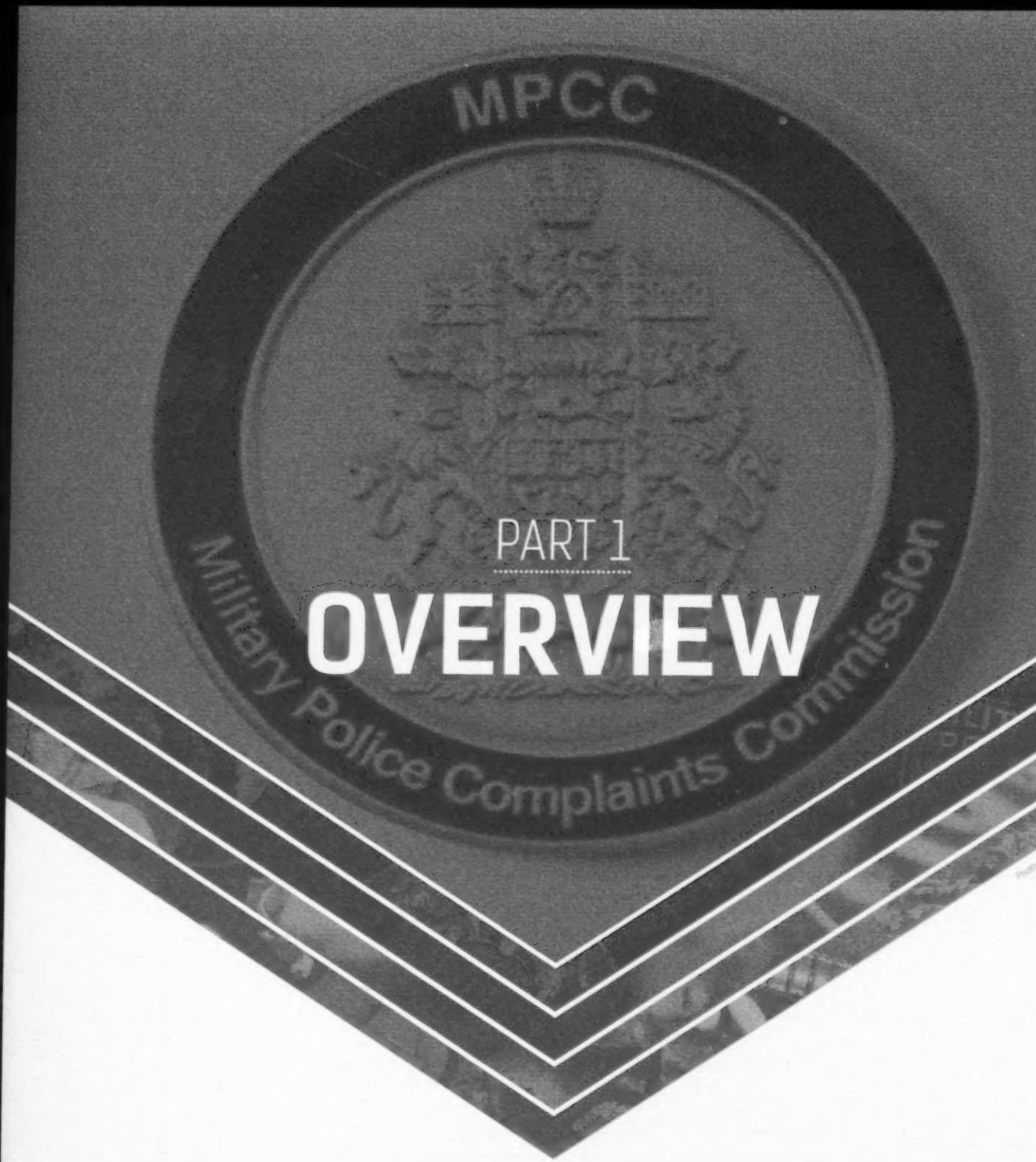
With the retirement of Mr. Roy Berlinquette, the MPCC welcomed the appointment of Mr. Michel Séguin as a Commission Member. Mr. Séguin comes to the MPCC with extensive operational policing experience, having spent 33 years with the Royal Canadian Mounted Police. He retired from the RCMP in 2008 as Assistant Commissioner and the Commanding Officer of "O" Division (Ontario). Soon after, he joined the House of Commons Administration as Director General, Parliamentary Accommodations Services, a post he held for five years.

I also acknowledge the excellent contributions of another Commission Member, Mr. Hugh Muir, who continues to assist with our handling of complaint files and our outreach presentations. Mr. Muir has 40 years policing experience with the Toronto Police Service and the Stellarton, Nova Scotia Police Service. When he retired from the Stellarton Police Service in December 2011, he held the rank of Acting Chief. Mr. Muir is a strong proponent of alternative dispute resolution in policing.

In closing, as I have stated in years past, the MPCC staff and I remain committed to advancing the important work of the MPCC to provide civilian oversight of Canada's Military Police in a manner that continues to be effective, efficient and fair to all concerned.



Glenn M. Stannard, O.O.M.
Chairperson



PART 1

OVERVIEW

i › Military Police Complaints Commission of Canada

The Military Police Complaints Commission of Canada (MPCC) was established on December 1, 1999 by the Government of Canada to provide independent civilian oversight of the Canadian Forces Military Police (MP). This was achieved through an amendment to the *National Defence Act* (NDA) creating a new Part IV, which sets out the mandate of the MPCC and how complaints are to be handled. As stated in Issue Paper No. 8, which accompanied the Bill that created the MPCC, its role is "…to provide for greater public accountability by the military police and the chain of command in relation to military police investigations".

ii › Mandate and Mission

MANDATE

The MPCC reviews and investigates complaints concerning Military Police conduct and investigates allegations of interference in Military Police investigations. The MPCC reports its findings and makes recommendations directly to the Military Police and National Defence leadership.

MISSION

To promote and ensure the highest standards of conduct of Military Police in the performance of policing duties and to discourage interference in any Military Police investigation.

The MPCC fulfils its mandate and mission by exercising the following responsibilities:

- Monitoring investigations by the Canadian Forces Provost Marshal (CFPM) of Military Police (MP) conduct complaints;
- Reviewing the disposition of those complaints at the request of the complainant;
- Investigating complaints of interference; and
- Conducting public interest investigations and hearings.

iii › Organizational Background

The MPCC is one of 12 organizations in the Defence Portfolio. While it reports to Parliament through the Minister of National Defence (MND), the MPCC is both administratively and legally independent from the Department of National Defence (DND) and the Canadian Armed Forces (CAF). The MPCC is not subject to direction from the MND in respect of its operational mandate.

The MPCC is an independent federal government institution as defined under Schedule I.1 of the *Financial Administration Act* (FAA). As an independent oversight agency, the MPCC must operate at a distance and with a degree of autonomy from government, including the DND and the CAF. The MPCC Commission Members and employees are civilians and are independent of the DND and the CAF in fulfilling their responsibilities

and accountabilities in accordance with governing legislation, regulations and policies.

Tribunal decisions and MPCC operations and administration must also be, and be seen to be, free from ministerial influence, other than seeking the signature of the MND as the Minister responsible for tabling the MPCC's Reports on Plans and Priorities, Departmental Performance Reports, Annual Reports to Parliament, and other accountability documents such as Memoranda to Cabinet and Treasury Board submissions.

The Chairperson, as Chief Executive Officer (CEO) of the MPCC, is accountable for all MPCC activities and for the achievement of results. Based on the *Terms and Conditions of Employment for Full-Time Governor in Council (GIC) Appointees*, the Chairperson is Chief Executive Officer, statutory deputy head or Deputy Head, as defined by the FAA and as designated through the GIC.

As Deputy Head, the Chairperson is accountable to Parliament for fulfilling management responsibilities, including financial management. This includes accountability for allocating resources to deliver MPCC programs and services in compliance with governing legislation; regulations and policies; exercising authority for human resources as delegated by the Public Service Commission; maintaining effective systems of internal controls; signing accounts in a manner that accurately reflects the financial position of the MPCC and exercising any and all other duties prescribed by legislation, regulations or policies relating to the administration of the MPCC.

iv › The Canadian Forces Provost Marshal and the Deputy Commander, Canadian Forces Military Police Group/Professional Standards

On April 1, 2011, the CFPM assumed full command of all MP members who are directly involved in policing. The CFPM also assigns MP elements to other supported commanders under operational command.

The Deputy Commander of the Canadian Forces Military Police Group (CF MP Gp) manages public complaints and internal MP misconduct investigations and ensures adherence to the *Military Police Professional Code of Conduct*.

The CFPM is the first to respond to complaints about MP conduct. The MPCC has the authority to monitor the actions taken by the CFPM as it responds to complaints, and to conduct its own reviews and investigations as required. The MPCC has the exclusive authority to deal with interference complaints.

The MPCC's recommendations, contained in its Interim and Final Reports, are not binding on the CAF and the DND. However, such recommendations do provide the Military Police with the opportunity to improve its operations and further enhance transparency and accountability.

See sub-sections vi) and vii) for detailed information about the conduct and interference complaints processes.

v › The Military Police

The CAF MP Branch was formed in 1968 with the unification of the CAF. MP members were allocated to the Army, Navy and Air Force. The stated Mission of the CAF MP is to contribute to the effectiveness and readiness of the CAF and the DND through the provision of professional police, security and operational support services worldwide.

The MP Branch is comprised of 2,000 plus personnel: 650 reservists and 1,400 sworn, credentialed members (officers and non-commissioned members). Credentialed members are those members who are entitled to be in possession of an MP badge and identification card and thus peace officers by virtue of the *Queen's Regulations and Orders*, article 22.02, NDA s. 156 and *Criminal Code* s. 2.

The MP exercise jurisdiction within the CAF over both DND employees and civilians on DND property. The MP form an integral part of the military justice system in much the same way as civilian police act within the civilian criminal justice system. MP routinely train and work with their civilian counterparts in the provision of police and security services to the CAF and the DND.

Members of the Military Police are granted certain powers under the NDA in order to fulfill their policing duties. For example, Military Police members have the power to arrest, detain and search. The *Criminal Code* recognizes members of the MP as peace officers. Therefore, they can make arrests and lay charges in civilian criminal courts. Additionally, MP members posted to the Canadian Forces National Investigation Service (CFNIS) can also lay charges under the NDA's Code of Service Discipline.

vi › Conduct Complaints Process

CONDUCT COMPLAINT FILED

Anyone may make a conduct complaint regarding the MP in the performance of their policing duties or functions, including individuals not directly affected by the subject matter of the complaint. Such complaints are initially dealt with by the CFPM. Informal resolution is encouraged.

COMPLAINT INVESTIGATED BY THE CFPM

As the CFPM investigates a complaint, the MPCC monitors the process. At the conclusion of the investigation, the CFPM provides a copy of its final disposition of the complaint to the MPCC. The MPCC may, at any time during the CFPM investigation, assume responsibility for the investigation or call a public hearing if it is deemed to be in the public interest (see section viii on p. 13).

REQUEST FOR REVIEW

Complainants may request the MPCC review the complaint if they are not satisfied with the results of the CFPM's investigation or disposition of the complaint.

MPCC REVIEWS COMPLAINT

At a minimum, this process involves a review of documentation related to the CFPM's investigation. Often, it also includes interviews with the complainant, the subject of the complaint, and witnesses, as well as consideration of relevant legislation, and military and civilian police policies, procedures and best practices.

MPCC RELEASES INTERIM REPORT

At the completion of the review, the Chairperson sends the Interim Report to the MND, the Chief of the Defence Staff (CDS) and the CFPM, setting out the MPCC's findings and recommendations regarding the complaint.

NOTICE OF ACTION

The Notice of Action is the official response by the CAF to the Interim Report. It outlines what action, if any, has been or will be taken in response to the MPCC's recommendations.

MPCC RELEASES FINAL REPORT

After considering the Notice of Action, the MPCC issues a Final Report of findings and recommendations. The Final Report is provided to the MND, the Deputy Minister (DM), the CDS, the Judge Advocate General (JAG), the CFPM, the complainant(s) and the subject(s) of the complaint, as well as anyone who has satisfied the MPCC that they have a substantial and direct interest in the case.

HOW THE MPCC CARRIES OUT ITS REVIEWS AND INVESTIGATIONS OF CONDUCT COMPLAINTS

In response to a request from a complainant for a review, the MPCC follows the steps described below:

- The MPCC conducts a preliminary review of the request for review and the Chairperson, determines how to respond to the request, whether an investigation is required, the scope of the investigation warranted and how to approach the investigation. The Chairperson may also delegate a Commission Member to handle the file.
- A lead investigator is assigned and, with MPCC legal counsel, reviews the evidence and other materials gathered during the CFPM's investigation of the complaint. This could be hundreds of pages of documents, emails, handwritten notes and reports, and many hours of witness audio and video recordings.
- The lead investigator prepares an investigation plan, setting out the goals, timelines and budget for the investigation, as well as the lines of inquiry to be pursued, all of which must be approved by the Chairperson or the delegated Commission Member.
- The lead investigator and an assisting investigator, in consultation with MPCC legal counsel and the Chairperson or the delegated Commission Member, then review any relevant legislation, policies and regulations, arrange and conduct interviews with complainants, subject members and witnesses and request additional documentary materials as necessary.
- The investigators submit a comprehensive investigation report on the information gathered during the investigation to the MPCC.
- Subject to any further inquiries requested by the Chairperson or delegated Commission Member, the Chairperson or the delegated Commission Member reviews the results of the investigation and makes findings and recommendations about the complaint. On the basis of these findings and recommendations, the Chairperson or the delegated Commission Member prepares the MPCC's Interim Report. The Interim Report goes to the MND, the CDS and the CFPM.
- Following receipt and consideration of the official response to the MPCC's Interim Report, which is ordinarily provided by the CFPM in a Notice of Action, the MPCC prepares and issues its Final Report, which goes to the relevant departmental officials, the complainant(s) and the subject Military Police member(s), as well as anyone who has satisfied the MPCC that they have a substantial and direct interest in the case.

vii › Interference Complaints Process

INTERFERENCE COMPLAINT FILED

Any member of the MP who conducts or supervises investigations and believes a member of the CAF or a senior official of the DND has interfered with or attempted to influence an MP investigation may file a complaint with the MPCC.

MPCC INVESTIGATES

The MPCC has sole jurisdiction to investigate interference complaints. A preliminary review is conducted to determine whether an investigation should be commenced, the scope of the investigation and how to approach the investigation. Once this process is complete, the MPCC begins its investigation.

MPCC RELEASES INTERIM REPORT

The Interim Report includes a summary of the MPCC's investigation, as well as its findings and recommendations. This report goes to the MND, the CDS, if the alleged interference was carried out by a member of the military, or to the Deputy Minister (DM) of National Defence, if the subject of the complaint is a senior official of the DND, the JAG, or the CFPM.

NOTICE OF ACTION

The Notice of Action is the official response to the Interim Report. It indicates the actions, if any, which have been or will be taken to implement the MPCC's recommendations.

MPCC RELEASES FINAL REPORT

Taking into account the response set out in the Notice of Action, the MPCC prepares a Final Report of its findings and recommendations in the case. The Final Report is provided to the MND, the DM, the CDS, the JAG, the CFPM, the complainant(s), and the subject(s) of the complaint, as well as anyone who has satisfied the MPCC that they have a substantial and direct interest in the case.

viii › Public Interest Investigations and Hearings

At any time it is in the public interest, the Chairperson may initiate an investigation into a complaint about police conduct or interference in a police investigation. If warranted, the Chairperson may decide to hold a public interest hearing. In exercising this statutory discretion, the Chairperson considers a number of factors including, among others:

- Does the complaint involve allegations of serious misconduct?
- Do the issues have the potential to affect confidence in the MP or the complaints process?
- Does the complaint involve or raise questions about the integrity of senior military or DND officials, including senior MP members?
- Are the issues involved likely to have a significant impact on MP practices and procedures?
- Are the issues of broader public concern or importance?

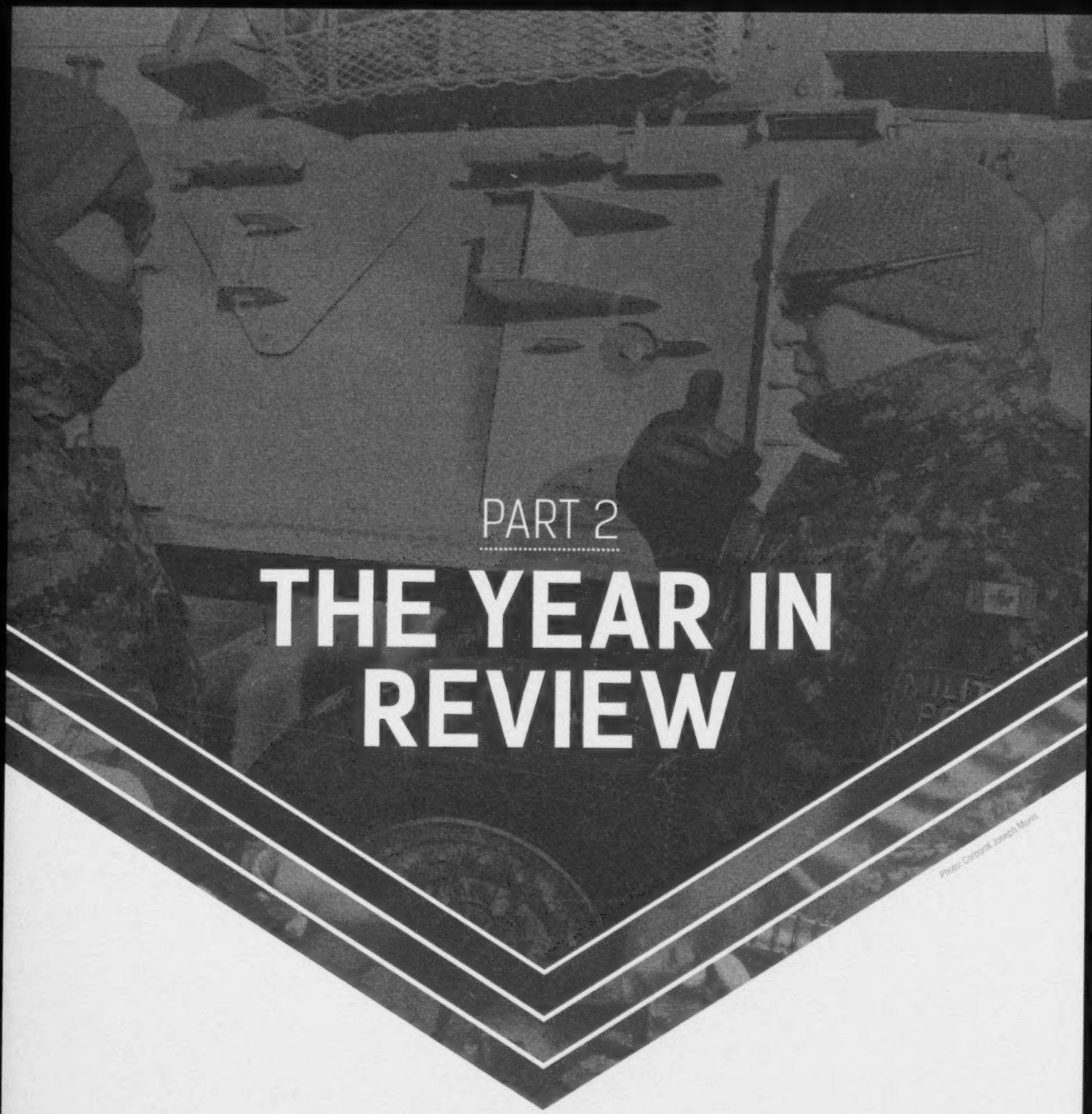


Photo: Corporal Joseph Morin

PART 2

THE YEAR IN REVIEW

i › Monitoring and Investigations

The following table highlights the Military Police Complaints Commission of Canada (MPCC) statistics on a four-year comparative basis from 2011 to 2014. The table cannot fully report the increase in the complexity and scope of the types of complaints the MPCC handles, nor accurately predict when complex complaints will be referred.

STATISTICS FROM 2011 – 2014	2011	2012	2013	2014
Conduct Complaints Carried Over	22	28	31	26
New Conduct Complaints (A)	45	51	43	54
Interference Complaints Carried Over	0	3	3	3
New Interference Complaints	8	2	3	2
Reviews Carried Over	5	10	9	11
New Reviews	9	8	14	15
s.250.38 Public Interest Investigations/Hearings Carried Over	1	2	1	1
New s.250.38 Public Interest Investigations/Hearings	1	0	0	0
External Proceedings Carried Over	1	0	0	1
New External Proceedings (B)	0	0	1	1
General Files Opened (Request for information and other)	45	59	63	56
New Files Opened	**108**	**120**	**124**	**128**
Total Files Dealt With During the Year	**137**	**163**	**168**	**170**
Hearing Decisions/Rulings Issued	5	8	0	0
Time Extension Decisions Issued	4	2	7	5
Interim Reports Issued	10	7	6	12
Final Reports Issued (C)	9	14	12	9
Recommendations on Final Reports	11	12	7	12
Percentage of Recommendations Accepted	100%	92%	86%	100%
Reports/Decisions/Rulings Issued	**28**	**31**	**25**	**26**

(A) Includes No Jurisdiction complaints/Extensions of Time Denied

(B) Includes requests for Judicial Review and complaints to the Canadian Human Rights Commission

(C) Includes Concluding Reports and No Jurisdiction letters

ii › Special Report on Interference

In August 2014, the MPCC released its second *Special Report on Interference*. The report details the progress that has been made in the area of Military Police (MP) investigative independence, as well as how the MPCC's understanding of what constitutes 'improper interference' has evolved since its first special report on interference was published in 2002.

The mechanism of interference complaints was created by an Act of Parliament in 1998. It is unique to the field of military policing. While conduct complaints may be reviewed and investigated by both the Office of the Canadian Forces Provost Marshal (CFPM) and the MPCC, investigating interference complaints is the sole responsibility of the MPCC.

One of the objectives of the 2002 report on interference was to raise awareness of the existence of the complaint process and the MPCC, especially among members of the Military Police. Their independence as police officers within the military chain of command is essential to their ability to work without interference.

Twenty-six interference complaints have been filed since the MPCC was founded. Half of those were against MP supervisors. And although settling disputes between MPs and their own MP superiors was not the reason the interference complaints mechanism was created, it is nonetheless important that the MPCC take the time to review these cases to ensure that the necessarily wide latitude and responsibility of MP supervisors to oversee and control the police work of their subordinates is exercised in good faith.

The MPCC's work is now supported by 14 years of jurisprudence. The 2014 *Special Report on Interference* includes 12 case examples. It also serves as a primer of the evolution of the MPCC itself, describing how changes to the *National Defence Act* and to the MP Group chain of command both have significant implications for its work.

"...the true objective of the interference complaint mechanism should be to prevent interference before it can occur, rather than simply investigating it after the fact. In this worthy goal, the military police themselves have an important role to play." — Special Report on Interference

"...with a unique mandate regarding a unique subject, it has fallen exclusively to the MPCC to give meaning to the concept of "improper interference" under NDA section 250.19, on a case-by-case basis." — Special Report on Interference

iii › Fynes Public Interest Hearing

On March 27, 2012, the Fynes Public Interest Hearing (PIH) began to examine the Military Police (MP) investigations conducted following the death of Corporal (Cpl) Stuart Langridge, pursuant to a complaint filed by his parents, Sheila and Shaun Fynes. Cpl Langridge committed suicide on March 15, 2008, at Canadian Forces Base/Area Support Unit (CFB/ASU), Edmonton. He had served in Bosnia and Afghanistan and his parents maintain he was suffering from depression and post-traumatic stress disorder at the time of his death.

The PIH relates to three investigations conducted by the Canadian Forces National Investigation Service (CFNIS) following the death of Cpl Langridge and the subsequent complaint by his parents. The complainants allege that:

- The CFNIS did not conduct independent investigations into the matter;
- The investigations the CFNIS conducted were inadequate and biased;
- The investigations were aimed at exonerating Canadian Armed Forces (CAF) members of any responsibility for their failure to prevent Cpl Langridge's death and for the manner in which the Fynes were subsequently treated;
- The CFNIS failed to investigate important issues; and
- The CFNIS failed to disclose the existence of a suicide note from Cpl Langridge to the Fynes.

This is the MPCC's largest and most complex PIH to date. Over the course of 62 public hearing days, the MPCC heard evidence from 90 witnesses from across Canada and abroad. Transcripts from the hearing totalled over 12,500 pages. In addition, the MPCC examined 1,699 documents totalling more than 22,000 pages of material in its investigation of the Fynes' complaint. The MPCC heard final closing submissions by the parties on January 9, 2013.

The Chairperson, with the invaluable assistance of MPCC counsel and staff, reviewed and analyzed the entirety of the evidence. Subsequently, the Interim Report was drafted and submitted to the senior leadership of the Military Police, the Canadian Armed Forces and the Department of National Defence on May 1, 2014.

The Notice of Action, the official response to the report, was received on December 16, 2014 from the CFPM. The Final Report will be provided to the complainants and subjects of the complaint and made public in early 2015.

Detailed information about the Fynes PIH is available on the MPCC website at www.mpcc-cppm.gc.ca.

iv › Access to MP Orders

A thorough understanding of Military Police policies, procedures and practices is fundamental to the MPCC's ability to evaluate a complaint, determine whether it is substantiated and make useful recommendations. Since the MPCC's creation in 1999, the Canadian Forces Provost Marshal has always provided the MPCC with a full set of these documents, as well as the Standard Operating Procedures for the Canadian Forces National Investigation Service.

That practice came to an abrupt halt with the restructuring of the command and control framework for the Military Police. These instructions began to be replaced with MP Group Orders and were no longer provided to the MPCC. Since early 2013, the office of the CFPM provides only those Orders it believes are relevant to the MPCC's work.

It is the MPCC which must decide what is relevant to the complaints it is reviewing and investigating. Not to have that access puts the MPCC's credibility and its reputation of independence at risk. It also severely compromises the ability of its staff to do its work effectively and fairly. The Chairperson has asked the Minister of National Defence to intervene in this matter and convince the CFPM to reinstate the previous practice of providing the tools the MPCC needs to fulfil its mandate.

v › Impact on Military Policing – Case Summaries

The following section provides summaries of selected conduct cases completed by the MPCC in 2014.

A) CONDUCT COMPLAINT – ALLEGATION OF EXCESSIVE FORCE

This complaint arose from a traffic stop at a Canadian Forces Base in Quebec. The complainant, a civilian, was going to use the ATM located at the Canex building near the main gate of the base. The first MP member noticed the complainant was not wearing her seatbelt. He turned his police vehicle around to intercept the vehicle. He observed the complainant had stopped in a no parking area. The MP approached and requested the complainant's driver's license, vehicle registration, and insurance. She responded by requesting he call the civilian police authorities to have them attend. After some futile discussion, the MP requested assistance. The MP's supervisor arrived with another MP a few minutes later and the discussion continued. After approximately 15 minutes, the complainant surrendered her documents. She was allowed to go to the ATM briefly, and the MPs prepared her traffic tickets.

Shortly after her return from the ATM, the complainant began a series of actions which repeatedly interrupted the MPs in their work. Ultimately, the MPs arrested her for obstruction, handcuffed her and placed her in the back seat of the police car. She was released approximately 20 minutes later and served with traffic tickets for illegal parking, failing to wear a seatbelt and failing to produce documents when requested.

Later the same day, the complainant attended the MP Detachment and began the complaint process. She alleged the supervising MP was impolite from the start; that she should not have been arrested; and excessive force was used during the arrest which caused injuries. She also alleged one or more MPs engaged in discreditable conduct,

including having an aggressive attitude, yelling, grabbing her arms, sputtering in her face, denying her access to a lawyer, taking an excessive amount of time to issue the tickets, endangering her life, and failing to return her documents in a timely manner. She later alleged she was tricked by being told she had been put into contact with the local civilian police when she was in fact speaking with a DND receptionist. She also alleged the MPs caused damage to her car during the arrest process.

The subject MPs said they acted professionally during the incident. In their view, the complainant's obstructive behaviour lengthened the interaction and led to a greater use of force than would otherwise have been required. They noted unfamiliarity with the use of the relevant provincial legislation may also have added to the time that was required to issue the tickets. They admitted her documents were not returned to her in a timely manner. Nevertheless, this was unintentional and immediately rectified upon discovery.

Following its review and investigation of the complaint, the MPCC concluded all the allegations were unsubstantiated. However, the MPCC recommended the CFPM take steps to ensure the functionality of the Mobile Video Recording Systems (MVRS) as well as adequate and consistent training on its operation, in accordance with the current Canadian Forces Military Police Group Orders (CF MP Gp Orders). The MPCC also recommended MP detachments be reminded of the importance of maintaining complete and accurate MP dispatch logbooks, as some entries in this case were found to be inaccurate.

Finally, the MPCC recommended MPs in the Quebec region be provided with adequate training and user-friendly reference tools with respect to the application of provincial laws relevant to their mandate.

B) CONDUCT COMPLAINT – ALLEGED TAMPERING WITH STATEMENT

This complaint arose from events that occurred on August 24 and 25, 2012. The complainant is a former member of the Canadian Forces (CF) who was released from the military in 2012.

On August 21, 2012, the complainant contacted the MP Unit to file a formal complaint. Her complaint was that she was sexually assaulted by two high ranking officers in 2009 while she was a CF member. Her allegations and the related investigation are the subject of another complaint to the MPCC. On August 24, 2012, the complainant attended at the MPU to provide a written statement further to the complaint against the two officers. The subject Military Police (MP) member of this file took her statement and provided the complainant with a copy.

On August 25, 2012, the complainant informed the subject MP member that her copy of the statement was missing two pages. The complainant was advised she could attend the MP Unit if she wished to provide a new statement. The complainant attended and wrote two more pages to add to her previous statement.

The complainant alleged the two pages were removed from her original statement on August 24, 2012 which amounted to tampering with evidence by the subject MP member.

Following its review and investigation of the complaint, the MPCC concluded the allegation was not substantiated. The MPCC investigation found no evidence to support the allegation the subject MP member tampered with evidence by removing pages from the complainant's original written statement. The MPCC also found the subject MP's memory to be more reliable than the complainant's memory for this time period.

The MPCC did not make any recommendations in this matter.

C) CONDUCT COMPLAINT – ALLEGED FAILURE TO CONDUCT THOROUGH SEXUAL ASSAULT INVESTIGATION

This complaint relates to a Military Police (MP) investigation into two alleged incidents of sexual assault by the complainant's former superiors while she was a Canadian Forces (CF) member. The alleged incidents would have occurred in the first half of 2009 while the complainant served as part of the crew on a naval vessel. The complainant was released from the military in June 2012.

The MP investigation file remained open from August 2012 to February 2013. During this period, a video recorded interview with the complainant was done and written statements from her were taken. The subject MP investigator also obtained (with some difficulty) a copy of the file on the complainant's 2011 harassment complaint, where she had initially raised these incidents. The CF body responsible for harassment complaints had found her complaints to be unsubstantiated.

On the basis of the complainant's statements to the MPs as well as the 2011 harassment complaint file, which included previous MP assessments by both the Canadian Forces National Investigation Service (CFNIS) and the local MP unit (the same one to which the MP subject belonged), the subject MP investigator concluded no further MP action was necessary as the allegations had already been addressed by the chain of command through the CF harassment complaint process and the elements of the offence of sexual assault or assault were not present.

The complainant took issue with the subject MP investigator's conclusions and his failure to conduct a more extensive investigation of her allegations.

Following its review and investigation of the complaint, the MPCC concluded the allegation was substantiated in part. In the MPCC's view, the subject MP investigator should have conducted a more thorough investigation into the allegations before concluding the investigations for the reasons he indicated. The harassment complaint file was not a proper basis for concluding the MP investigation. Specifically, neither the previous MP assessments nor the purported deficiencies in the complainant's evidence were adequate reasons to terminate the investigation. In the MPCC's view, the subject MP would have needed to conduct further witness interviews in order to conclude the file as he did. While other factors relevant to the exercise of policing discretion might be seen as militating against conducting a full investigation of the complainant's allegations, these factors did not diminish the elements of the offence, the establishment or exclusion of which could only have been achieved with further witness interviews.

However, as the MPCC determined through its own investigation that the witnesses put forward by the complainant could not corroborate her allegations, the MPCC did not recommend the MP investigation be re-opened.

The MPCC did, however, recommend the subject MP receive further appropriate training on the deficiencies identified in this report and that MP policies on the opening of General Occurrence files be clarified to ensure such files are opened when MPs are consulted in the course of administrative investigations, such as the harassment complaint process.

D) CONDUCT COMPLAINT – ALLEGED STALKING BY MPS

This complaint arose from events that occurred on April 15, 2013 and April 16, 2013. The complainant is a former member of the CF who was released in 2005. During 2004, he had frequent dealings with the Military Police (MP) at the local base, where he had been arrested and charged a number of times.

The complainant alleged that on April 15, 2013 he received a phone call at approximately 15:18 hrs. The caller said nothing and then hung up after 10 seconds. The call display showed a specific name with a specific telephone number. The complainant did an internet search of the name and found there was an MP with that name (the subject) in the city where the complainant resided. The complainant was then concerned because he recalled when he had been arrested in 2004 the desk clerk in the cell area where he was held had the same name.

The next day, April 16, 2013, the complainant saw a platoon of soldiers in full combat gear marching down his residential street, located close to the base, when one of the soldiers broke ranks and went directly toward the complainant's residence. The soldier allegedly went specifically to the area where the garbage normally would be discarded on garbage day, although the complainant had not yet put his garbage out at the time. Subsequently, a dark colored van pulled up, bearing DND plates. The soldier jumped in and the vehicle vacated the area. The complainant believes the soldier was intending to look through his garbage in order to intimidate him.

On the same date, April 16, 2013, the complainant was on the internet in a military chat group, when he noticed someone had been using his pseudonym in order to post personal information about him such as where he had eaten, what he had been doing and comments concerning his child support issues.

The complainant believed these incidents were too closely related to be mere coincidence and believed he was being "stalked" or harassed by the subject MP.

Following its review and investigation of the complaint, the MPCC concluded all three allegations were not substantiated. The MPCC investigation demonstrated on a balance of probabilities that, while the phone call had been made, it was made by a civilian who had the same name as the subject MP member. This finding tended to undermine the complainant's remaining allegations as well. With respect to the marching incident, the MPCC found no record of such an exercise being conducted at that time. Finally, the MPCC could find no evidence to support the allegation the subject MP had the complainant's online identity in respect of the military chat-group in question.

E) CONDUCT COMPLAINT – ALLEGED IMPROPER ARREST AND SEARCH/ ACCOMMODATION OF MEDICAL CONDITION

This complaint arose from interactions between the complainant and his wife, on the one hand, and two members of the Military Police (MP), on the other hand, during a traffic stop that eventually led to the arrest of the complainant and his wife (Ms. X).

One night in November 2011, the complainant was returning home after a night out with his wife when an MP member pulled over the vehicle. When Ms. X, the driver, refused to get back in the vehicle, the MP member attempted to arrest her. She resisted, and the complainant attempted to intervene. The complainant later also placed his hand on another MP member who arrived to provide assistance. Both Ms. X and the complainant were eventually arrested and handcuffed. Both resisted, and both were ultimately charged with assaulting a peace officer and resisting arrest. In addition, Ms. X was charged with impaired driving and the complainant with drunkenness contrary to the *National Defence Act*.

A few months after the events, the complainant transmitted a letter of complaint to the MPCC. In this detailed letter, he made several allegations about the conduct of the two MP members involved, before, during and after the arrests. He alleged the subject MP members failed to advise him and Ms. X of the reasons for the initial traffic stop and for the arrests. He complained the MP members' aggressive attitude, their failure to communicate in French with Ms. X or to allow the complainant to provide explanations to her, and their failure to respond appropriately to Ms. X's medical condition related to prior trauma caused by abusive relationships, caused the situation to escalate and led to the unnecessary arrests. He alleged the MP members used excessive force during the arrests, and failed to ensure adequate heating in the patrol vehicle where Ms. X was detained. He also claimed the MP members failed to take into account his pre-existing knee injury and used excessive force when they conducted a search on his person in the MP Detachment cellblock area.

The complaint was directed to the Canadian Forces Provost Marshal (CFPM) to be dealt with in the first instance as per the *National Defence Act*. The complaint was first held in abeyance pending the resolution of the criminal proceedings against the complainant and Ms. X. Once these matters were resolved through guilty pleas being entered on certain counts, and other charges being withdrawn, the CF MP Group's Professional Standards (PS) section conducted an investigation and concluded the complainant's allegations were unsubstantiated. However, PS noted several issues in the file, in particular in relation to equipment malfunctions, the procedure for ensuring detained persons understand their rights and speak with counsel when they so choose, and the lack of supervision of Ms. X during a portion of her detention in a police vehicle.

As a result, the Deputy Commander for the CF MP Group wrote a letter of observation to the Commanding Officer (CO) of the relevant MP Regiment. The CO subsequently provided details of the corrective measures taken in response, and the Deputy Commander was satisfied the concerns had been addressed.

Meanwhile, the complainant was not satisfied with the PS disposition of his complaint, and requested the MPCC review the matter. The MPCC categorized nine separate allegations of misconduct brought by the complainant. Through detailed review of the file and previous investigation, as well as several requests for additional documents and information from the PS Office, the MPCC was able to obtain the information necessary to make findings about each of the allegations. The MPCC concluded all of the allegations are unsubstantiated, and found the subject MP

members acted reasonably and did not use excessive force.

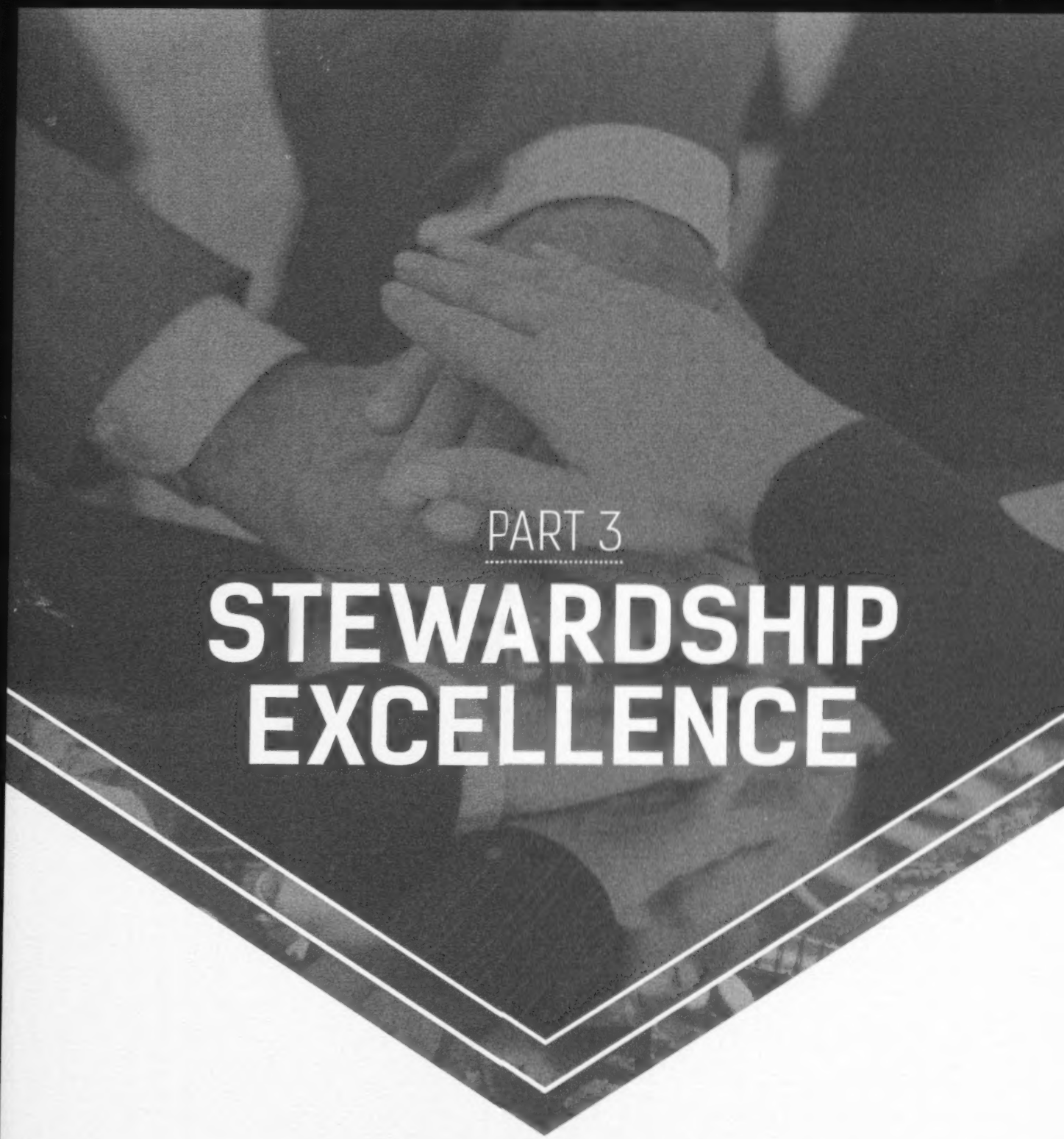
There were no findings of misconduct on the part of the subjects of complaint. However, in reviewing this complaint and the underlying events, the MPCC identified several areas that are in need of improvement in MP policies and training and made the necessary recommendations to assist in ensuring the issues are addressed.

In particular, in reviewing the complainant's allegations relating to the search conducted in the cellblock area, the MPCC found that, although the MP members involved acted appropriately in this case, additional policy guidance and training related to the need to accommodate medical conditions or injuries when performing searches or detaining or arresting individuals would be beneficial. As a result, the MPCC recommended the CFPM review MP policies and orders related to the use of force, arrest, detention and searches with a view to providing additional guidance on the need to adjust procedures to accommodate medical or other conditions that may cause pain, injury or indignity to detainees, where circumstances and considerations of officer safety permit such accommodation. The MPCC further recommended MP members be reminded of their obligations to make such accommodations, where circumstances permit, and those obligations be stressed in the initial and ongoing MP training.

In reviewing the complaint and the police file related to this incident, the MPCC has also noted several other issues of concern. Some of these issues were already addressed in the Deputy Commander's letter of observation and, as a result, additional recommendations by the MPCC were not necessary. Other issues had not been addressed previously. In particular, there were problems with the cellblock area recording equipment, which resulted in a lack of audio recording for the search of the complainant. There were also concerns with one of the subject MP members' understanding of the suspects' right to counsel of choice. Finally, there were reasons to question whether a Canadian Police Information Centre (CPIC) entry requested by the other subject MP member was warranted.

To address these issues, the MPCC made several recommendations, including a recommendation that the recording equipment in the cellblock area at the relevant MP Detachment be examined to ensure it has functioning audio and video recording capabilities; a recommendation MP members be reminded, through initial and ongoing training, of the need to ensure that individuals who are arrested or detained are provided with an opportunity to contact counsel of their choice, and of the importance for MP members to refrain from interfering with this choice in any way or attempting to influence it; and a recommendation MP policies and orders provide explicitly that MP supervisors have an obligation, when reviewing investigative files, to verify that proposed CPIC entries and SAMPIS (Military Police database) records are accurate, warranted and supported by the facts uncovered in the investigation.

Photo: Corporal Shilo Adamson



PART 3

STEWARDSHIP EXCELLENCE

i › Integrated Planning

The Military Police Complaints Commission of Canada (MPCC) has strengthened its planning system which integrates finance, human resources (HR), risk management, investment planning, security, information technology (IT), information management (IM), and greening strategies to facilitate planning, decision making and prudent resource management.

The following sections describe the MPCC's stewardship approach towards integrating strategic, operational and investment plans.

ii › Integrated Financial Management

The MPCC was pleased to receive a 94% rating this year from the Parliamentary Budget Officer (PBO). In the Parliamentary Budget Officer's *Analysis of Performance Budgeting during Recent Fiscal Consolidation 2014*, the MPCC was ranked number one among the highest performing government organizations in terms of meeting its performance targets.

In 2014, the MPCC continued to demonstrate sound management of its financial resources. It effectively planned, managed and controlled its budget and expenditures to meet operational requirements, and meet legislative and increased central agency requirements including timely and accurate financial reporting. Throughout 2014, regular financial updates were provided internally to the MPCC Executive Committee and externally to central agencies in order to reinforce rigorous financial management and control.

OPERATING BUDGET

In December 2013, the MPCC's ongoing annual budget was increased from $3.5M to $4.7M. These financial resources support the delivery of the MPCC's legislative mandate under Part IV of the *National Defence Act*: complaints resolution, internal services and all other activities to support central agencies' requirements including reporting demands by central agencies and Parliament (Reports on Plans and Priorities, Departmental Performance Reports, Annual Reports, Financial Statements, Quarterly Financial Reports, Departmental Staffing and Accountability Reports).

The reference level increase followed a program evaluation conducted in 2012 during which it was concluded the reference level of $3.5M was not sufficient due to various pressures such as increasing complexity of investigations; increased planning and reporting requirements; and increased information management requirements.

Following the transfer of new funding, risk reduction plans were implemented based on mitigation strategies. These included creating and staffing new positions, the implementation of a new electronic document and records management system (EDRMS) and workplace renovations.

Certain delays were inevitable during this period, due to the time required to complete staffing processes, in addition to the timing of the transfer of funds.

FYNES PUBLIC INTEREST HEARING (PIH)

The MPCC did not receive any new funding in 2014 for the Fynes PIH, but it did reprofile $1.5M of the FY 2013-2014 total lapse of $3.1M. The remainder of funds, $1.6M was returned.

MULTI-JURISDICTIONAL CONDUCT REVIEW COMPLAINT

In 2014, the MPCC received a total of 4K in special purpose funding via the Main Estimate process and reprofiled 875K of the 2013-2014 lapse to support the ongoing requirements of this conduct review. As is the case with the Fynes PIH, it is anticipated the file will be completed in 2015.

FINANCIAL STEWARDSHIP

The MPCC works efficiently and effectively while maintaining its service delivery model. However, any unexpected event that may impact the MPCC (e.g., public interest hearing) creates significant pressures throughout the MPCC. Despite the MPCC's ongoing improvement in turnaround times for complaint investigations, our pursuit of accountability, transparency and professionalism to Canadians requires us to continue to perform at the highest levels while, at the same time, keeping a healthy work environment and ensuring the well-being of our personnel.

As well, in response to increased central agency policy requirements and demands, such as the Treasury Board's *Policy on Internal Control*, the MPCC continues its rigorous review of internal financial control processes in key areas, such as investment, financial management reporting, human resources, asset management and security.

ADDITIONAL FINANCIAL INFORMATION

Additional financial information about the MPCC's financial and expenditure management can be found in the Publications Section of the MPCC's website in the Report on Plans and Priorities, the Departmental Financial Report, Quarterly Financial Reports, and Annual Financial Statements.

iii › Integrated Human Resources (HR) Management

HUMAN RESOURCES PLANNING

The MPCC continued to stress effective HR planning. Anticipating potential staff turnover, developing staffing strategies to help ensure knowledge retention (e.g., through employee learning plans) and ensuring vacancies are filled as quickly as possible are just a few of the planning measures that have been implemented.

COMMON HUMAN RESOURCES BUSINESS PROCESS (CHRBP) INITIATIVE

The MPCC worked diligently towards implementing the seven areas of the CHRBP Initiative in order to align the requirements with the MPCC's *HR Framework – Plans and Strategies*. The areas are as follows:

- HR Planning, Work and Organization Design and Reporting;
- Job and Position Management;
- Staffing and Employee Integration;
- Total Compensation;
- Employee Performance, Learning, Development and Recognition;
- Permanent and Temporary Separation; and
- Workplace Management.

The MPCC received a recognition award on May 12, 2014 from the Office of the Chief Human Resources Officer for its accomplishments.

STAFFING

The MPCC is a micro agency (which by definition is 99 or fewer employees as per the Public Service Commission of Canada) and, as such, one MPCC employee may oversee several programs. Staffing delays result in more work for other employees who are already fully engaged in carrying out their existing responsibilities, as well as increased costs to the MPCC to backfill the positions.

The MPCC examined innovative ways to reduce the cost and time involved in staffing a position while maintaining the existing robust Staffing Management Accountability Framework (SMAF) within the MPCC, as confirmed through the Departmental Staffing Accountability Report (DSAR). The MPCC has been successful in increasing its efficiencies in staffing by substantially reducing the time it takes to staff a position and reducing cost. By optimizing the staffing process, the MPCC was able to staff vacant positions more efficiently and retained a high percentage of staffed positions.

COMMISSION MEMBERS

Commission Member Roy Berlinquette retired this year after an outstanding career in policing and police oversight. Mr. Berlinquette was appointed as a Commission Member in May 2007. He co-presided over the Afghanistan Public Interest Hearing, and presented at several outreach programs during his tenure. As one of the MPCC's bilingual Commission Members, he was instrumental in concluding many conduct and interference complaints through his decisions.

The MPCC was pleased with the appointment of former RCMP Assistant Commissioner and Commanding Officer, Michel Séguin, as Mr. Berlinquette's replacement. Mr. Séguin has extensive operational policing experience, with more than ten years at the senior executive level. During his service with the RCMP, he held the position of Ethics and Integrity Advisor and sat as an adjudicator for Code of Conduct hearings. Mr. Séguin is an Officer of the Order of Merit of the Police Forces. Mr. Séguin was appointed by the Governor in Council as a Commission Member on March 6, 2014.

EMPLOYEE RECOGNITION

Throughout the year, the MPCC continued to recognize the efforts of all its employees. During National Public Service Week in June 2014, a number of employees received Long Service and Recognition Awards for their contributions.

PUBLIC SERVICE EMPLOYEE SURVEY

One hundred percent (100%) of the MPCC's employees completed the 2014 Public Service Employee Survey. The survey, which has been conducted every three years since 1999, provides employees an opportunity to voice their opinions on their leadership, workforce and work environment. It is conducted by Statistics Canada on behalf of the Office of the Chief Human Resources Officer. The survey helps identify areas for improvement at all levels: from the organizational unit to the departmental level and across the Public Service. It also provides data for a range of deliverables, such as the *Management Accountability Framework* (MAF), and for annual reports on a variety of topics, including official languages, employment equity and human resources management. The survey results are scheduled to be released in February 2015.

DISABILITY MANAGEMENT PROGRAM

Following the government-wide initiative on disability management, the MPCC has reinforced its program, services and products, including training managers and employees on their rights, obligations and procedures to prevent illnesses and injuries. This year, the MPCC provided training and information sessions on health and well-being, the Employee Assistance Program and First Aid to promote MPCC personnel well-being.

PERFORMANCE MANAGEMENT/ PEOPLE MANAGEMENT

In 2014, the MPCC fully implemented the Performance Management Program (PMP). Managers, supervisors and employees received training and/or documentation on the new Performance Management process that came into effect April 1, 2014. The MPCC updated its *Integrated HR Framework – Plans and Strategies* to reflect the PMP's new requirements and to align with the Common Human Resources Business Process.

iv › Integrated Risk Management (IRM)

Throughout the year, the MPCC took an integrated approach to risk management by identifying corporate risk, analyzing impacts and developing mitigating strategies to ensure efficient and effective operations. This encompassed areas such as financial management, resourcing/staffing, capacity building, audits, media/public affairs and public interest hearings (PIH).

The MPCC continues to update its *Integrated Risk Management Framework – Plans and Strategies*, adding new requirements and audit recommendations to its risk profile. By doing so, the MPCC is able to proactively mitigate risks by having pre-defined strategies.

Where possible and feasible, the MPCC conducts management reviews based on its risk assessments to identify potential gaps and takes appropriate steps to ensure a proactive, rather than reactive, approach.

v › Management Reviews

STAFFING MANAGEMENT REVIEW

In 2013-2014, the MPCC completed its annual staffing management review and examined compliance, trends, costs, length of time to staff, risks, and file management. The results of the review reinforced the MPCC's staffing practices and identified further opportunities to ensure all staffing actions continue to be managed and administered in accordance with applicable legislation and delegation of authorities.

CONTRACTING AND PROCUREMENT REVIEW

The MPCC began a contracting and procurement management review in June 2014. Using a checklist based on the Comptroller General's Policy on Internal Audit, the review included the MPCC's bid solicitation files, contract files and accounts payable files. The findings were overall favourable and the MPCC is currently developing an action plan to further improve contracting and procurement practices.

vi › Audits

PARLIAMENTARY BUDGET OFFICER (PBO)

The PBO issued its report, the *Analysis of Performance Budgeting during Recent Fiscal Consolidation*, on August 14, 2014 for the three fiscal years between 2010 and 2013. The MPCC's 94% rating assured its place as the highest performing Government organization during that period.

PERFORMANCE AUDIT FOR THE REPORTING ON ACCOUNTABILITY

In June 2014, the MPCC underwent an audit by the Office of the Auditor General of Canada (OAG). The scope of the audit consisted of the examination of various reporting requirements such as Finance, Human Resources, Departmental Investment Plans, Official Languages Annual Review, Annual Report on the Performance Management Program for Executives and Departmental Security Plans. The MPCC, along with other small Departments and Agencies, participated in the audit by completing multiple surveys. The information provided by the MPCC will be reported in aggregated form in the upcoming OAG audit report.

COMMUNICATION SECURITY (COMSEC) AUDIT

In May 2014, the MPCC underwent an audit regarding its COMSEC equipment, processes and policy framework. This provided the MPCC an opportunity to update its security policies, procedures and processes as they relate to communications security.

HORIZONTAL AUDIT

Although the MPCC was not scheduled to perform a horizontal audit during this reporting period, the MPCC is committed to ensuring compliance with other audits through the review of the findings and recommendations of the Office of the Comptroller General and aligning those with the MPCC's internal frameworks, policies, directives, standards, and processes as a measure of good business practice.

vii › Integrated Security

The MPCC strives to provide a secure workplace through mandatory training, awareness and communiqués focused on its security programs, services and processes. As such, security is integrated throughout the MPCC's business operations and infrastructure. Through prevention programs and awareness, the MPCC is able to respond effectively to security occurrences while maintaining operational momentum.

INFORMATION TECHNOLOGY (IT) SECURITY

In addition to traditional security monitoring, the MPCC tracks the growing trend of cyber threats, both internal and external. IT security is regularly reviewed and updated to minimize risk.

viii › Business Continuity

Business continuity and emergency procedures are integrated throughout MPCC operations and processes. As such, a combination of prevention and awareness activities allows the MPCC to respond to incidents or emergencies while maintaining operational momentum.

Throughout the reporting period, the MPCC continuously conducted tests and drills to ensure appropriate response procedures for a variety of situations were in place.

ix › Health and Safety

The health and safety of MPCC personnel and workplace are paramount to the MPCC's good business practice. The MPCC provides workplace training, awareness activities and communiqués regarding health and safety issues and their integration throughout the MPCC. This includes activities such as providing personnel with hand sanitizers, wipes, regular office cleaning, and the seasonal flu shot if desired. There are also regular tests and drills conducted to ensure safety equipment is properly maintained and that personnel are trained in cardiopulmonary resuscitation (CPR). In addition, the MPCC has assigned these duties to personnel to ensure the requirements under the *Canada Labour Code* and the *Health and Safety Regulations* are met. The assigned employees are trained and certified.

x › Integrated Information Technology (IT)

ELECTRONIC DOCUMENT AND RECORDS MANAGEMENT SOLUTIONS (EDRMS)

In 2014, the MPCC built four servers to accommodate the new EDRMS system and installed Documentum, the new Electronic Document and Records Management system to safeguard corporate knowledge and provide a case management solution to meet its needs. Work continues on the configuration of the file plan, retention and disposition, and permission sets.

WEB EXPERIENCE TOOLKIT (WET)

WET is an award-winning, front-end framework for building websites that are accessible, usable, interoperable, mobile friendly and multilingual. It is a collaborative project led by the Government of Canada. The MPCC completed and phased in the latest version, WET4, in late October, well in advance of the December 2014 deadline. The new templates ensure compliance with the federal government's *Standard on Web Accessibility*, the *Standard on Web Usability* and the *Standard on Web Interoperability*.

WEB RENEWAL INITIATIVE (WRI)

The goal of the WRI is to consolidate 1,500 departmental websites into one website by December 31, 2016. The objective is to create a government-wide website that is easy to navigate, with information that is easy to scan, is supported by an integrated search engine and works across all platforms: desktop, smartphone and tablet. The first iteration of Canada.ca is already online. Service Canada will fill the role of 'principal publisher', but each department and agency still owns and is responsible for creating its own content. The MPCC met its first WRI objective with the delivery of its interim report (a partial inventory of its website) in early December. The final report, a full website inventory, will be ready by mid-January 2015.

xi › Integrated Information Management (IM)

RECORD KEEPING

The MPCC is addressing how it conserves its corporate memory by implementing business transformation activities that will move the current Information Management system to a fully electronic document environment (EDRMS). With the assistance of external resources, the MPCC continues to work towards the implementation of a solution that will ensure efficiencies and effectiveness of its life cycle management of electronic documents and records, as well as the efficient response to access to information and privacy requests (ATIP).

LIBRARY COLLECTION

In 2012, the MPCC's library completed an extensive analysis of its collection. Where available, the library endeavours to make use of electronic resources accessible on the Internet and other appropriate legal databases. In 2013, this resulted in a streamlined electronic collection to better serve its needs, a reduction in the library's monetary spending on traditional books and other publications, as well as a reduction in floor space required to house the library collection. In 2014, the MPCC continued to convert paper publications to the electronic versions, where available, as both a cost and space savings initiative.

xii › Access to Information and Privacy (ATIP)

ACCESS TO INFORMATION AND PRIVACY (ATIP)

The MPCC continued to experience a steady volume of requests made under the *Access to Information Act* and *Privacy Act*. The MPCC successfully met the 30-day response time limit on all requests.

In accordance with the requirements of the Treasury Board of Canada Secretariat (TBS), the MPCC published summaries of completed access to information requests on its website in both official languages.

xiii › Greening Initiatives

The MPCC supports the Federal Sustainable Development Strategy and related central agency policies and guidelines such as the Green Procurement Strategy. The MPCC remains committed to "greening initiatives. These include:

- Reviewing and streamlining its library collection;
- Implementing an electronic document and records management solution;
- Using recycled paper;
- Increasing the use of scanning and email; and
- Acquiring energy-efficient appliances and electronic equipment.

The MPCC continues to seek and identify other opportunities to further "green" its activities without hindering operational efficiencies and effectiveness.

xiv › Communications & Outreach

FEDERAL IDENTITY PROGRAM (FIP)

In 2014, MPCC worked closely with its counterpart in the FIP to clarify what must be done to fully comply with federal government regulations in terms of its departmental identity. All items bearing the MPCC's name, including stationery, promotional items, signage and report covers, have been identified and inventoried.

BLUEPRINT 2020

In June 2013, the Clerk of the Privy Council launched Blueprint 2020. The objective of this initiative was to validate a vision for a world-class Public Service, and to identify the actions required to make this vision a reality.

During 2014, the MPCC engaged employees in the Blueprint 2020 Initiative through self-directed activities, online tools and facilitated activities.

These included the May 2014 WebEx launch of Destination 2020, the summary report of the Blueprint 2020 government-wide consultation with public servants, and the PWGSC Client Service Forum held in November 2014, which several MPCC staff members attended. The Forum provided them with both the opportunity to learn about innovative practices and the chance to network with other public servants involved in similar work.

Communication is a key part of staff engagement. The Blueprint 2020 Ambassador and Champion continue to keep staff involved in the initiative through regular email communication.

In February 2014, the MPCC published its Interim Progress Report, which announced the steps it is taking on key horizontal priorities that employees identified as important to achieving the vision. Destination 2020 is an ongoing engagement and the MPCC is committed to participating fully.

OUTREACH PROGRAM

In 2014, the MPCC continued its outreach and collaborative initiatives with the Military Police (MP) community, the military chain of command and other organizations within and outside government. These initiatives enabled the MPCC to share information regarding its mandate, to discuss case examples and the MPCC's findings and recommendations concerning conduct and interference complaints. In addition, the MPCC was able to gain a better understanding from these stakeholder groups about issues faced by the MP and the larger Canadian Armed Forces (CAF) community.

VISITS TO CANADIAN ARMED FORCES BASES AND LOCATIONS ACROSS CANADA

On an annual basis, the MPCC visits CAF bases across Canada to increase awareness of its mandate and activities, as well as to respond to any concerns about the complaints process. Its three primary audiences are:

- Members of the MP who are most affected by the process, whether as subjects of conduct complaints or as potential complainants in interference complaints;
- The military chain of command, which relies on the services of members of the MP to maintain military discipline but cannot interfere with police investigations; and
- Those who may interact with the MP because they live, work, or visit a CAF base. The MPCC's connection to this group is often made through the executive directors and staff of the Military Family Resource Centre at each base.

During 2014, representatives of the MPCC visited six locations in Ontario and made presentations to CAF bases in Ottawa, Petawawa, Kingston, London, Toronto and Borden.

CAF bases are chosen according to logistical and geographical criteria to help ensure the broadest possible access to these information sessions. Particular consideration is given to respecting and accommodating the demands associated with the significant operational realities at these bases.

The participants who attended the 2014 information sessions provided positive feedback on the value of the presentations, the case examples used and the clarity of the MPCC representative's responses to questions.

MILITARY POLICE ACADEMY

The MPCC visited the Canadian Forces Military Police Academy at CFB Borden. It made presentations to the Qualifying Level 6 training sessions and the Military Police Officer Course, to increase awareness of the MPCC's mandate and processes. MPCC also provided resource material to the Qualifying Level 5 training session.

The MPCC greatly appreciates the efforts of the many individuals who organized, supported and participated in its outreach activities at the bases and the Canadian Forces Military Police Academy.

STAKEHOLDER COLLABORATION ›

CANADIAN FORCES PROVOST MARSHAL (CFPM) AND DEPUTY COMMANDER CANADIAN FORCES MILITARY POLICE GROUP/ PROFESSIONAL STANDARDS (CF MP GP/PS)

In 2014, the MPCC continued its ongoing discussions with both the CFPM and Deputy Commander of the CF MP Gp/PS to address and resolve issues, and further strengthen the complaints resolution process.

UNIVERSITY OF OTTAWA FACULTY OF LAW – MILITARY LAW CLASS AND OTHER LEGAL PRESENTATIONS

On March 3, 2014, the Chairperson and the MPCC's General Counsel presented before the Military Law Class of the University of Ottawa's Faculty of Law, providing background on the role of the MPCC, its function and the types of complaints it investigates. Topics covered included the MPCC governing legislation, public confidence and trust, the rule of law, the purpose of oversight, the conduct and interference complaints process and selected case examples.

On November 19, 2014, MPCC's General Counsel spoke as a panellist at the Advanced Administrative Law Conference in Ottawa. The subject of the panel was Ethical and Professional Issues Arising in Administrative Law.

On November 20, 2014, MPCC's Legal Counsel spoke to a group of law students at the University of Ottawa. This presentation provided an overview of the MPCC's mandate and process, and an explanation of Public Interest Hearings and Commissions of Inquiry (evidence and procedure, role of parties, representation of parties and the role of Commission Counsel).

CANADIAN ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT (CACOLE)

CACOLE is a national, non-profit organization of individuals and agencies involved in the oversight of police officers in Canada. It is dedicated to advancing the concept, principles and application of civilian oversight of law enforcement organizations across Canada and abroad. CACOLE is recognized worldwide for its oversight leadership. The MPCC's Chairperson is a member of the CACOLE Board of Directors and moderated a panel about police prosecution at its 2014 annual conference.

The MPCC Chairperson and other MPCC representatives attended CACOLE's annual meeting May 5 – 7, 2014, in Victoria, British Columbia. This year's theme was 'Oversight: Building Confidence and Trust'. The Commission Members gained valuable insight into new trends and developments in police oversight within Canada and abroad. This year, CACOLE also met with international counterparts from Hong Kong, Los Angeles and Trinidad/Tobago to discuss the challenges they face in their countries.

CANADIAN BAR ASSOCIATION (CBA)

The CBA is a professional, voluntary organization which represents some 37,000 lawyers, judges, notaries, law teachers, and law students from across Canada. Approximately two-thirds of all practising lawyers in Canada belong to the CBA. Through the work of its sections, committees and task forces at both the national and branch levels, the CBA is seen as an important and objective voice on issues of significance to both the legal profession and the public. The MPCC's lawyers are members of various sections of the CBA such as Military, Administrative, Privacy and Criminal Law Sections. One of the MPCC's legal counsels serves as an Executive Member of the Military Law section of the CBA.

CANADIAN ASSOCIATION OF CHIEFS OF POLICE (CACP), THE ONTARIO ASSOCIATION OF CHIEFS OF POLICE (OACP)

The MPCC Chairperson is a life member of both the CACP and the OACP and is a past president of the OACP. The Chairperson's membership with both of these organizations allows the MPCC to keep abreast of new trends in policing and new developments, policies and guidelines.

CENTRAL AGENCY COLLABORATION

The MPCC continued to participate in cooperative intra-government affiliations through its membership in a variety of small agencies' initiatives. These include the:

- Heads of Federal Administrative Tribunals Forum (HFATF);
- Personnel Advisory Group;
- Small Agencies Financial Action Group; and
- Small Agency Administrators Network.

COUNCIL OF CANADIAN ADMINISTRATIVE TRIBUNALS (CCAT)

The Council of Canadian Administrative Tribunals is a national organization that supports the work of administrative tribunals and supports excellence in administrative justice. MPCC legal counsel attended its annual symposium, held this year in Ottawa. A Commission Member participated in CCAT's training course for members of administrative tribunals and two MPCC legal counsel volunteered to participate in a simulated hearing.

MEDIA/PUBLIC RELATIONS

The MPCC provides timely information to its stakeholders through media releases, website updates, regular reports and in response to individual requests. The communications officer is responsible for daily media monitoring and draws source material from a variety of online and hard copy media.

The MPCC drew less media attention in 2014 than it did in 2012/2013 during the Fynes PIH, although there was media interest when the Fynes PIH Interim Report was issued in May 2014.

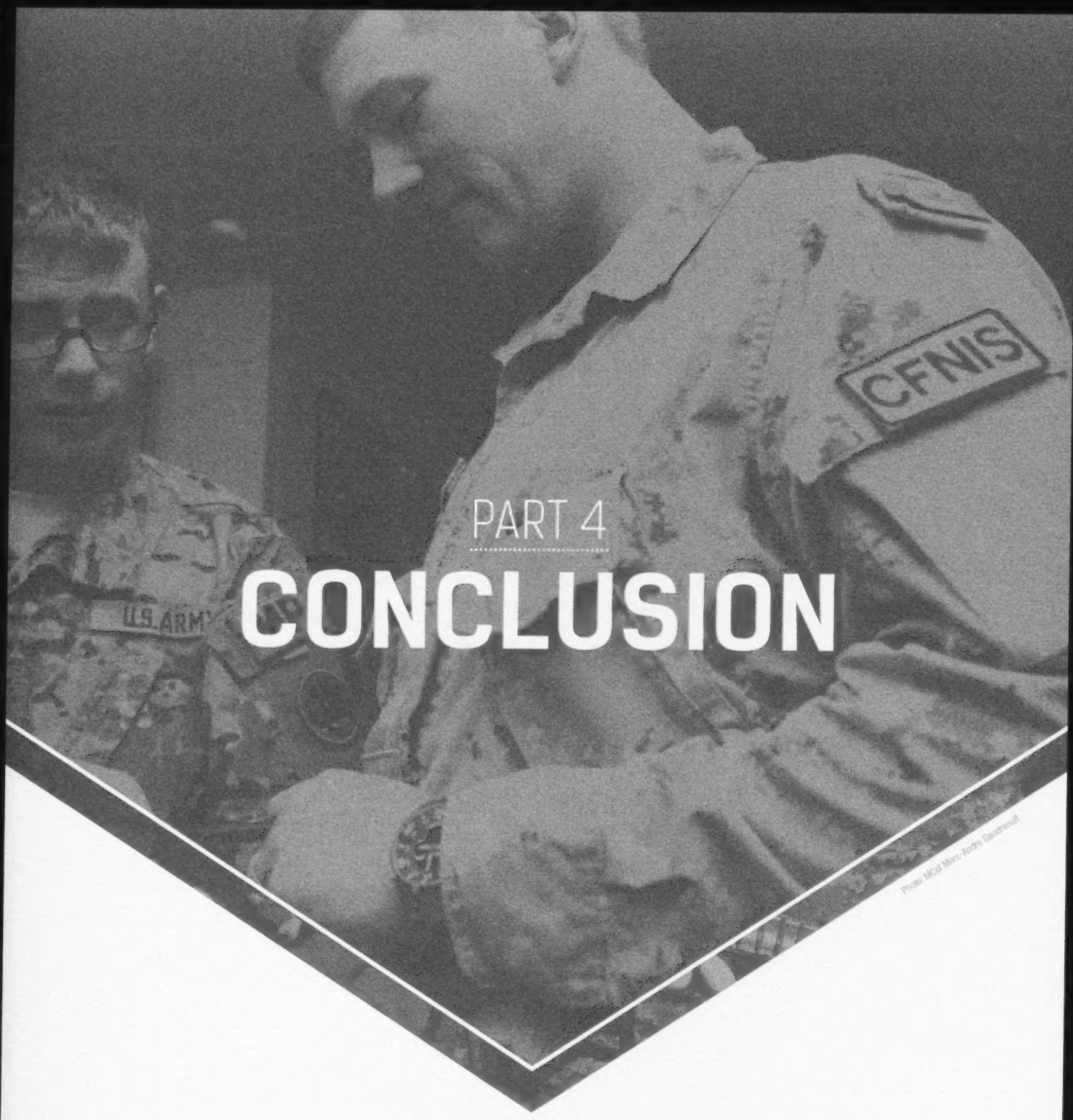


Photo: MCpl Marc-Andre Gaudreault

PART 4

CONCLUSION

'Ensuring Accountability' is more than the title of this year's annual report. It is what we do. We are committed to our mission "…to promote and ensure the highest standards of conduct of Military Police in the performance of policing duties and to discourage interference in any military police investigation."

In pursuit of its mandate, the Military Police Complaints Commission of Canada (MPCC) is, and must be seen to be, impartial and fair in its dealings with both complainants and subjects of complaints in objectively arriving at conclusions and recommendations.

The nature of our work, the findings and recommendations of our comprehensive reviews and investigations, may sometimes be seen to be at odds with the Military Police. But the values of the MPCC and those of the organization it oversees are the same: integrity, respect and professionalism.

A good working relationship is built on trust. Our reputation as an independent oversight body charged with monitoring and investigating complaints depends upon our access to the information we need to do our work. For this reason, we will continue to press for a full set of MP Orders, as well as better access to essential information. MPCC personnel have noted the increased amount of redacted information in key operational files being provided by the Office of the Canadian Forces Provost Marshal (CFPM). During the coming year, we hope to work in collaboration with the CFPM and the Deputy Commander, Canadian Forces Military Police Group/Professional Standards in order to resolve these issues in a manner that will allow the MPCC to fully carry out its mandate, as Parliament intended.

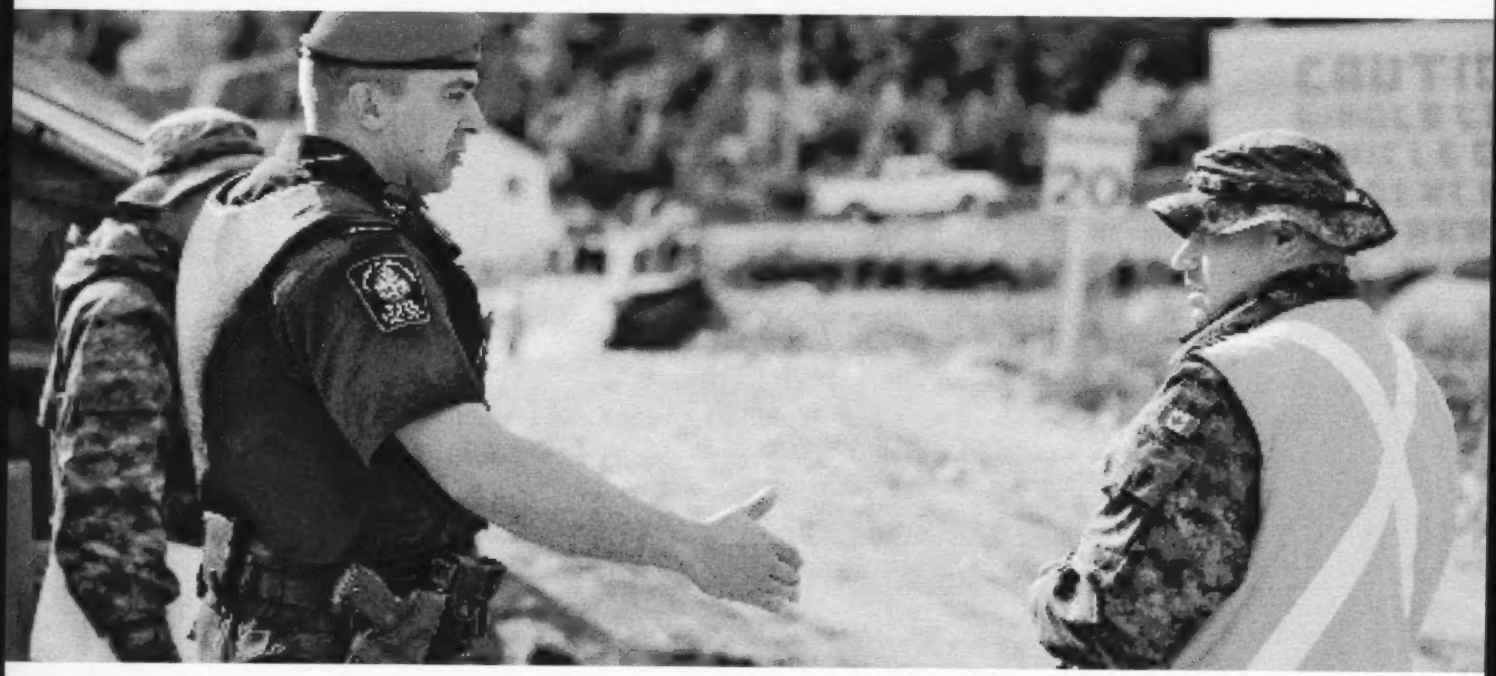


Photo: MCpl Angela Abbey

The MPCC's caseload is heavy and continues to grow. In the past five years, there has been a 29% increase in the number of new files opened.

In May 2014, the MPCC issued its Interim Report regarding the complaint brought forward by Sheila and Shaun Fynes related to the MP investigations conducted following the death of their son, Corporal Stuart Langridge. We received the Notice of Action, the CFPM's official response to that report on December 16, 2014. We expect to release the Final Report early in 2015.

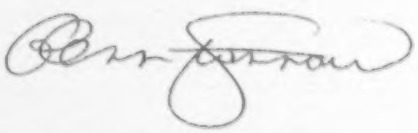
Internally, our corporate services procedures, protocols and systems help ensure that the MPCC meets the highest standards of operational excellence and financial accountability expected of a federal government agency. In the Parliamentary Budget Officer's Analysis of Performance Budgeting during Recent Fiscal Consolidation 2014, MPCC was ranked number one among the highest performing government organizations in terms of meeting its performance targets.

The MPCC plans to seek opportunities to enhance its outreach activities in 2015. This program is essential to reinforcing our relationships with stakeholders across the country, both military and civilian. The presentations raise the MPCC's profile and ensure transparency and awareness of its mandate and complaints processes.

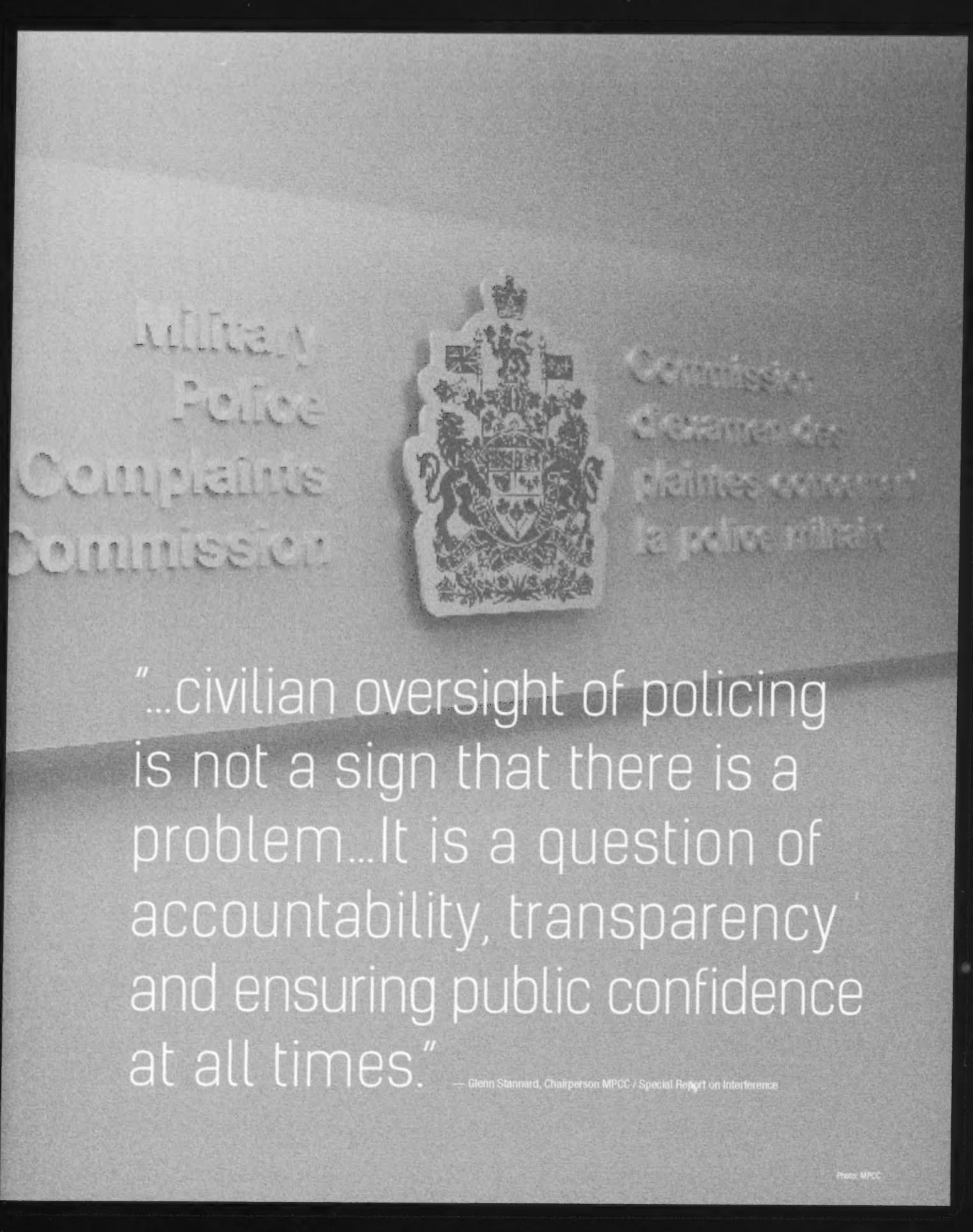
Our independence as an organization within the Defence Portfolio does not prevent us from sharing the grief following the events of this past October that resulted in the deaths of two CAF soldiers on Canadian soil. We extend our sincere condolences to the family, friends and colleagues who mourn the untimely deaths of Warrant Officer Patrice Vincent and Corporal Nathan Cirillo.

The year 2014 has been busy year for the MPCC team. We have faced – and met – challenges on both the corporate services and operations fronts. Throughout it all, we have remained committed to our mission to promote and ensure the highest standards of conduct of Military Police in the performance of policing duties and to discourage interference in any Military Police investigation. I have tremendous respect for my colleagues, for their dedication and their professionalism. I am grateful for the support of our partners and stakeholders. We should be proud of what we have accomplished together in 2014.

Many thanks to you all.



Glenn M. Stannard, O.O.M.
Chairperson



"...civilian oversight of policing is not a sign that there is a problem...It is a question of accountability, transparency and ensuring public confidence at all times."

— Glenn Stannard, Chairperson MPCC / Special Report on Interference

Photo: MPCC

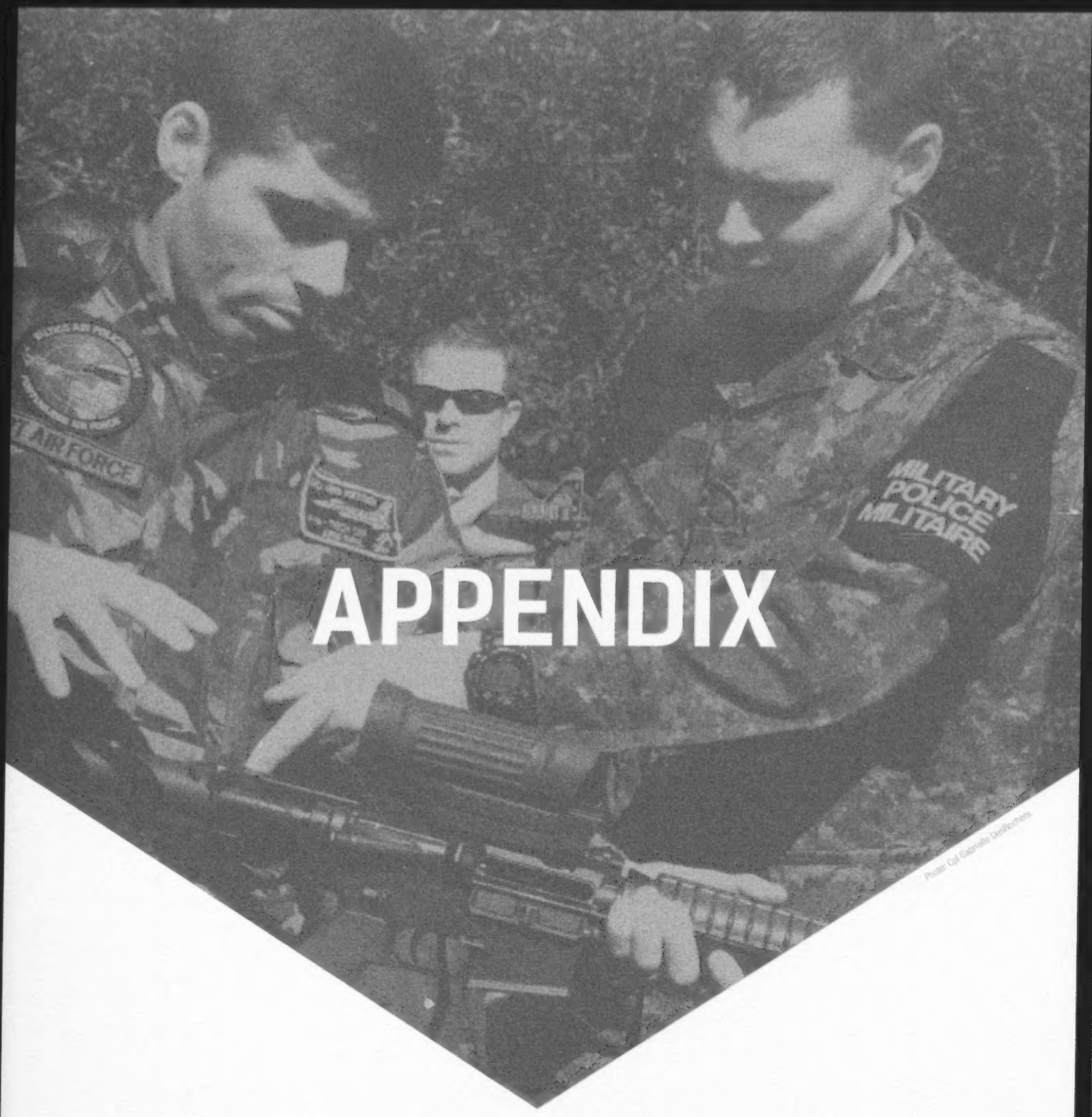


Photo: Cpl Gabrielle Desrochers

APPENDIX

Biography of the Chairperson

GLENN M. STANNARD
Chairperson

Born, raised and educated in Windsor, Ontario, Mr. Stannard served with the Windsor Police Service for 37 years. During this time, he was promoted through the ranks and worked in all divisions of the Service. In August 1995, Mr. Stannard was promoted to Deputy Chief of Police, Administration. His dedication to the city and its citizens was recognized in 1999 with his appointment as its Chief of Police, a position which he held until his retirement in February 2008.

Glenn Stannard is a Director of the Canadian Association for Civilian Oversight of Law Enforcement (CACOLE). He is also a Past President of the Ontario Association of Chiefs of Police (OACP) and is a lifetime member of the OACP and the Canadian Association of Chiefs of Police. In 2003, he was invested as an Officer into the Order of Merit of the Police Forces by Her Excellency the Governor General of Canada. He received the Queen's Jubilee Award in 2005 and the Queen's Diamond Jubilee Medal in 2013.

Mr. Stannard was appointed as a part-time Commission Member in September 2007 and appointed as the MPCC's Interim Chairperson in December 2009. He was subsequently appointed full-time Chairperson in June 2010. In addition to his Chief Executive Officer duties, Mr. Stannard co-presided over the Afghanistan Public Interest Hearing (PIH) and presided over the Fynes PIH into the conduct of Military Police investigations related to the death of Corporal Stuart Langridge. Mr. Stannard has rendered decisions on numerous conduct and interference complaint files.

Biographies of the Commission Members

ROY V. BERLINQUETTE
Commission Member

Roy V. Berlinquette is a recognized team builder with 36 years of public service with the Royal Canadian Mounted Police (RCMP). He held senior executive positions in corporate, operational and administrative areas and served as Deputy Commissioner of the North West Region.

Mr. Berlinquette acquired a wealth of knowledge and experience in his numerous years of dealing with government officials at municipal, provincial, federal and international levels.

His accomplishments include six years as a member of the Office of the Oversight Commission on the Reform of the Police Service of Northern Ireland, as well as researcher and co-author of the Jerusalem Old City Security Initiative. He was formerly principal of an Ottawa-based consulting company specializing in risk management, comptrollership and investigations.

Mr. Berlinquette was a Commission Member from May 2007 to May 2014. During that time, he co-presided over the Afghanistan Public Interest Hearing and rendered decisions on numerous conduct and interference complaints files.

STEVEN CHABOT
Commission Member

Mr. Chabot's 33-year career in the Sûreté du Québec police includes patrol, investigative and senior executive experience. He was successively appointed Captain in charge of Carcajou Squad, Assistant Deputy Director General and Deputy Director General in various branches of the Sûreté du Québec.

He has acted as an advisor to the Quebec government on questions pertaining to public security and has a keen interest in the professionalization of police services. In 2006, Mr. Chabot was invested as an Officer into the Order of Merit of the Police Forces by the Governor General of Canada and was elevated in this Order to the rank of Commander in 2010. Mr. Chabot retired from the police service in 2010.

Mr. Chabot holds a master's degree in Public Management from the École nationale d'administration publique (ÉNAP) and is fluent in both French and English. He was appointed as a Commission Member in December 2011.

HUGH R. MUIR
Commission Member

Mr. Muir served as a municipal police officer for a total of 40 years. His career began in 1971 with the Metropolitan Toronto Police Force, where he worked until 1979, when he accepted a position with the Stellarton, Nova Scotia Police Department.

When he retired in December, 2011, he held the rank of Acting Chief. He received police-related training at the Ontario Police College, Toronto Police College, Atlantic Police Academy and Henson College-Dalhousie University. Mr. Muir is a strong proponent of alternative dispute resolution in policing.

Mr. Muir is an active volunteer in the County of Pictou, Nova Scotia. He was invested as a Member of the Order of Merit of the Police Forces by Her Excellency the Governor General of Canada in 2007. In December 2011, he was appointed as a Commission Member.

MICHEL SÉGUIN
Commission Member

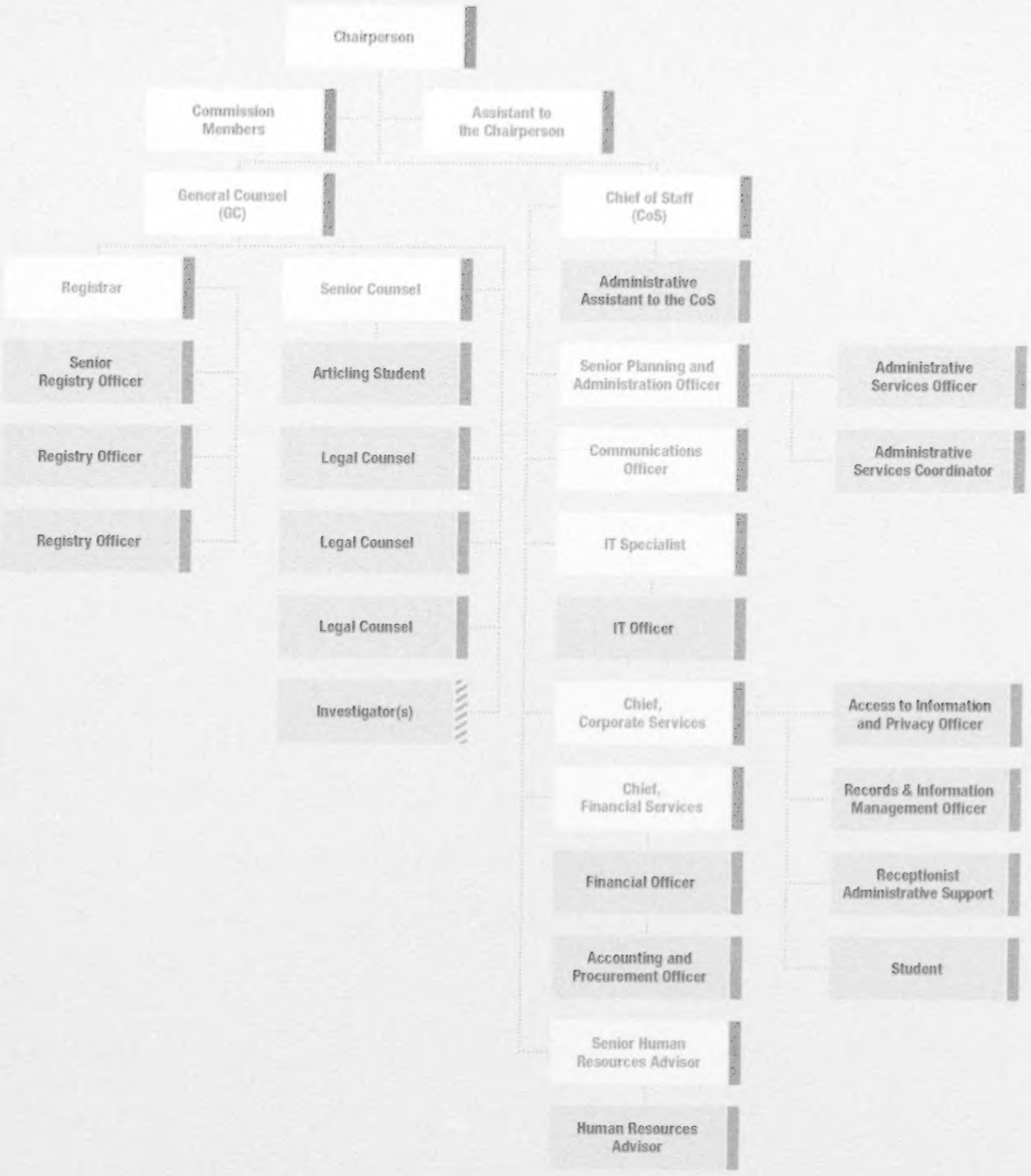
Mr. Séguin was appointed Commission member on March 6, 2014. He has extensive operational policing experience, having spent 33 years with the Royal Canadian Mounted Police (RCMP). During his service with the RCMP, he held the position of Ethics and Integrity Advisor and sat as an adjudicator for Code of Conduct hearings.

Mr. Séguin retired from the RCMP in 2008 as Assistant Commissioner and the Commanding Officer of "O" Division (Ontario).

After his retirement from the RCMP, Mr. Séguin joined the House of Commons Administration as Director General, Parliamentary Accommodations Services, a post he held for five years.

Mr. Séguin was invested as an Officer of the Order of Merit of the Police Forces in May, 2008.

Organization Chart



How to Reach the Military Police Complaints Commission of Canada

CALL OUR INFORMATION LINE

613-947-5625 or
toll-free at 1-800-632-0566

SEND US A FAX

613-947-5713 or
toll-free at 1-877-947-5713

SEND US A LETTER

Military Police Complaints
Commission of Canada
270 Albert Street, 10th floor
Ottawa, ON K1P 5G8

Visit us at the above address for a private consultation.
An appointment is recommended.

SEND US AN EMAIL

commission@mpcc-cppm.gc.ca

Note:
Please do not send confidential information via email. We cannot guarantee the security of electronic communications.

VISIT OUR WEBSITE

mpcc-cppm.gc.ca

MEDIA INQUIRIES

613-944-9349 or
media@mpcc-cppm.gc.ca

Ensuring Accountability